

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: JODY BENNINGER,	)	
Debtor.	)	
_____	)	
ALBERT E. CUNEO,	)	
Appellant,	)	
	)	Civil Action No. 07-0366
v.	)	
	)	Bankruptcy No. 05-31181
JODY BENNINGER,	)	
Appellee.	)	

MEMORANDUM ORDER

The parties are familiar with the general background of this case and it need not be detailed here. Appellant, Albert E. Cuneo, has appealed from several orders issued by the bankruptcy court. He appeals from the bankruptcy court's memorandum opinion of December 18, 2006, which sustained the Debtor's omnibus objection to his proofs of claim. Mr. Cuneo also appeals from the bankruptcy court's January 30, 2007 order denying his three post-trial motions.

We review the bankruptcy court's conclusions of law de novo, but may not set aside findings of fact unless they are clearly erroneous. In re American Pad and Paper, Inc., 478 F.3d 546, 551 (3d Cir. 2007); Mellon Bank, N.A. v. Metro Communications, Inc., 945 F.2d 635, 641 (3d Cir. 1991). We have considered each of appellant's contentions in light of these standards, and find them to be without merit.

Accordingly, this 30<sup>th</sup> day of May, 2007, IT IS HEREBY

IT IS FURTHER ORDERED that appellant's motion to

BY THE COURT:

G. H. Harant, J.

cc: The Honorable Jeffrey A. Deller,  
United States Bankruptcy Judge

All Parties of Record